

Annexation Policy



On May 19, 1998, the voters of the City of West Linn passed Ballot Measure 3-8 to amend the City's Charter and require voter approval prior to the City annexing territory. The Charter was amended to read as follows:

Unless mandated by state law, the City of West Linn shall not annex any territory, by delayed annexation or otherwise, without the approval of a majority vote among the City's electorate.

The City adopted an ordinance implementing requirements for annexation of lands to the City of West Linn pursuant to Ballot Measure 3-8. The Metro Regional Government, which serves jurisdictions within the Portland metropolitan area, also adopted an ordinance relating to local government boundary changes. The City of West Linn is required to meet Metro's ordinance (Chapter 3.09 of the Metro Code), as well as Oregon Revised Statutes.

Annexation Process

Application: A petition to annex to the City of West Linn may be initiated by a property owner(s) of the land to be annexed or by the City. The applicant is responsible for the full cost of the annexation, including a \$2,000 deposit, election costs, and a Metro filing fee, which is based on the size of the parcel(s) to be annexed. The deposit is needed to recover City costs in processing the annexation, including staff time writing reports and attending public hearings. The petitioner will receive a refund for any unused portion of the deposit. Additional deposits will be required when the deposit balance reaches \$500.

The City has a two-step annexation process. When an annexation petition submittal is deemed complete, the applicant will be able to proceed to Step 1.

Step 1: Step 1 determines whether the annexation request conforms to the provisions of City Code, Oregon Revised Statutes, and Metro Code Chapter 3.09. Community Development Code Chapter 81 provides standards and procedures for Step 1. Annexation petitions in the Step 1 process will be considered by the City Council at a public hearing. Petitions to annex that do not receive Step 1 approval by the City Council will not proceed to Step 2. As a result, the annexation request will not be submitted to the voters. The City Council decision may be appealed by a necessary party (i.e., a city, county, or district serving the area) to the Metro Boundary Appeals Commission. An appeal by any other person proceeds to the Land Use Board of Appeals (LUBA).

Step 2: This step involves consideration of referral to voters and policy issues by the City Council. The City Council will hold at least one public hearing on the annexation request, at which time any interested person may appear and be heard on the question of whether the annexation request should be presented to the voters. Within 45 days following the public hearing(s), unless a continuance is announced, the City Council will render a decision

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Published on City of West Linn Oregon Official Website (<http://westlinnoregon.gov>)

that the application be approved and submitted to the voters at the next appropriate election as determined by the Council, or that it be denied. The City Council may deny an annexation even though the annexation has received approval through the Step 1 process. The City Council's decision in the Step 2 process cannot be appealed.

Ballot Measure: All annexation requests that have received final approval through the Step 1 and Step 2 process will be referred to the voters. Up to four elections can be held per year in March, May, September, and November. If an annexation request is scheduled by the City Council for a primary or general election, election costs for the applicant should be minimal. For any other election, the election cost will be split proportionally between the City and the applicant. However, if there are no City measures on the ballot, then the applicant is responsible for the cost of the election.

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Source URL (retrieved on 2010-05-28 09:29): <http://westlinnoregon.gov/planning/annexation-policy>